



CITY OF DURHAM | DURHAM COUNTY  
NORTH CAROLINA

HISTORIC LANDMARK REPORT



Date: October 19, 2015

<b>Case</b>	LD1500001	<b>Jurisdiction</b>	City
<b>Project Name</b>	West Village Complex – Parking Lot		
<b>Request</b>	Repeal of Historic Landmark Designation		
<b>Site Characteristics</b>	<b>Tier</b>	Downtown	
	<b>Site Acreage</b>	1.196	
	<b>Existing Use</b>	Surface Parking	
	<b>Date Constructed</b>	N/A	
	<b>National Register District</b>	Yes	
	<b>National Register Individually Listed</b>	No	
	<b>Local District</b>	No	
<b>Applicant</b>	Bryan Kane	<b>Submittal Date</b>	February 10, 2015
<b>Owner</b>	FCP West Village Phase I Owner LLC		
<b>Location</b>	600 West Morgan Street		
<b>PIN(s)</b>	0821-08-88-0700		
<b>Recommendations</b>	<b>Staff</b>	Approval	
	<b>Historic Preservation Commission</b>	Approval	

**A. Summary**

The applicant, Bryan Kane, is requesting that the City remove the Durham Historic Landmark designation from the following portion of the West Village Complex Landmark: the parking lot adjacent to the Cooper Shop at 600 West Morgan Street. At the request of the property owner at that time, the West Village Complex was designated as a landmark by the City Council in 2001 for both its architectural and cultural significance. The staff report prepared for the designation includes a physical description and history of the structures and describes the significance of the structures that met the City's Local Historic Landmark criteria at the time of designation (see Attachment 2). The structures were also listed in the Bright Leaf Historic District on the National Register of

Historic Places in 1999. The property at 600 West Morgan Street was surface parking at the time of these designations.

## **B. Background**

The Unified Development Ordinance (UDO), Section 3.16.4 Designation of an Historic Landmark, includes the following criteria to qualify for the landmark designation:

A building, structure, site, area, or object may be considered for designation as an historic landmark only if all of the following three criteria are met:

- A. The property must not currently be undergoing renovation unless it has been approved for state or federal tax credits in accordance with the Secretary of Interior Standards;
- B. The HPC must deem and find that the building, structure, site, area, or object meets at least one of the following criteria:
  - (1) Individual listing on the National Register of Historic Place or on the Study List;
  - (2) Statewide significance status granted by the State Historic Preservation Office;
  - (3) Integrity of location, design, setting, materials, and workmanship, feeling and association on the whole, and:
    - (a) Is associated with events that have made a significant contribution to the broad patterns of local, regional, or national history; or
    - (b) Is associated with the lives of persons significant in local, regional, or national history; or
    - (c) Embodies the distinctive characteristics of a type, period, or method of construction; represents the work of a master; possesses high artistic values (i.e., the architecture alone is significant in its own right); or
    - (d) Has yielded, or may be likely to yield, information important to Durham's history or prehistory.

- C. The governing body must deem and find that the property possesses distinction within the context or period of significance.

The following statement in support of designation was provided in the staff report when the property owners applied for landmark designation in 2001:

The buildings of West Village are listed as “contributing” structures in the Brightleaf National Register Historic District, and therefore meet the first requirement. The association of the West Village buildings to Durham’s early tobacco industry and particularly the Duke family is of major significance to the City’s history. Washington Duke and his sons were responsible for the creation of the American Tobacco Company that became the dominant manufacturer of tobacco in the United States. The structures further represent the design integrity, quality construction and craftsmanship that were hallmarks of early Durham industrial architecture. The Hicks and Toms warehouses are among the few Romanesque style warehouses still standing in Durham, and the Flowers and Cooper buildings were more contemporary interpretations of the style to blend with the earlier buildings. The Power Plant building also points to the care taken to make the more utilitarian buildings of the period as attractive and detailed as possible. The materials, details and settings of these buildings have been retained in the recent renovation. Staff has determined that the West Village complex meets all of the criteria for designation as a Durham Historic Landmark.

**C. Applicant’s Justification**

The applicant’s justification for removal of the local historic landmark designation from the property at this time is as follows (see Attachment 1):

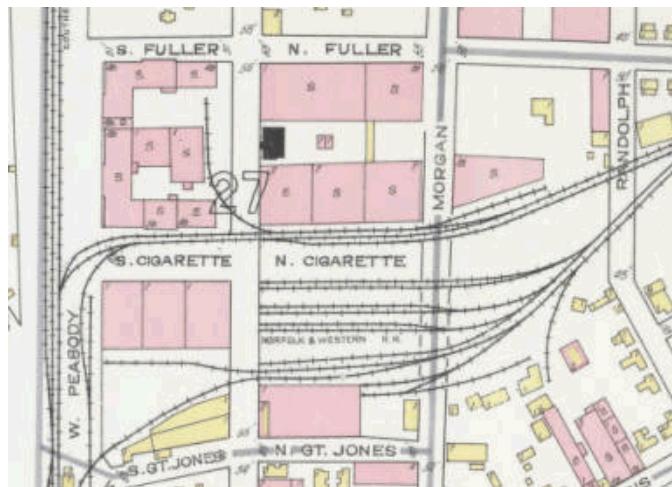
The property is the parcel of land located in downtown Durham, between W Morgan Street to the south, Fernway Street to the north, the existing Cooper Building to the west, and the railroad tracks to the east. The property is part of the parcel whose address is at 602 W Morgan Street. The property is currently a surface parking lot, and has never had any significant vertical structures on it. The only improvements on the site are the paving associated with its use as a surface parking lot. The property is included in the Historic Designation for the West Village project due to being on the same parcel, but does not contain any historic structures or historic significance.

**D. Alterations Since Designation**

No significant alterations to the portion of the landmark in question have been identified since the designation of this property.

## E. Staff Analysis

This property does not currently contain, nor does it appear to have ever contained, historically significant structures. The 1913 Sanborn Insurance Map shows the Norfolk & Western RR line along the current Cooper Shop building and connecting to the east-west tracks south of Main Street. It also shows tracks connecting to the



1913 Sanborn Insurance Map

Norfolk & Western Freight Yard (where the West Village III/Liggett Apartments currently exist) on the eastern edge of this parcel. The 1937 Sanborn shows a small raised platform along these tracks. All of these lines were abandoned by the 1960s (Open Durham, West Village III). The 1994 aerial and the 1998 plat (see



Attachment 3) show that the site retains the platform structure and a building has been constructed on the site. However, these structures are no longer extant in the 2005 aerial. Staff was unable to find other evidence regarding the structure that was constructed on the site.

While this portion of the designated landmark complex has historically been open, that alone does not appear to be of sufficient significance to retain the landmark designation for this portion of the complex. Staff believes that removal of landmark designation on this property will not compromise the protection of the significance of the larger historic complex.

## F. Recommendations

**Staff.** The West Village Complex has been designated as a landmark for its architectural and cultural importance. The property at 600 West Morgan Street, while included in the original landmark designation and in the Bright Leaf National Register District, does not appear to have historical significance in its own right, and it does not appear to be an integral part of the larger landmark designation.

The staff has determined that this portion of the property does not meet the UDO criteria for a historic landmark, and therefore staff does not have concerns about the removal of the local historic landmark designation from this portion of the landmarked property.

**State Historic Preservation Office.** In accordance with the UDO, the Staff provided an opportunity for the NC Department of Cultural Resources (the State Historic Preservation Office) to review and comment on this proposed Historic Landmark Designation removal. In a letter dated July 8, 2015, the Department stated:

Inclusion of the parking lot within the landmark boundary requires the issuance of a certificate of appropriateness for any development that might occur there in order to ensure that it would not diminish the landmark's historic character; thus, removal of the parking lot from the landmark potentially reduces the landmark's protection. If inclusion of the parking lot in the landmark boundary was made in error and it is the policy of the Durham Historic Preservation Commission and the City-County Planning Department to not include parking lots at the edges of landmarks, we recommend that parking lots at the edge of other landmarks be reviewed for removal from their respective landmark designations.

In the event that the owner of the parking lot has been taking advantage of the property tax deferral afforded local landmark owners and the owner's request for removal of the parking lot is approved, we note that the owner should be required to repay the past three years of prorated deferred taxes on the removed area, as specified in NCGS 105-278. (Attachment 5)

Subsequently, the Planning Department clarified to SHPO that the subject area proposed for removal comprises a separate parcel from the parcel that will retain its landmark designation, and that the subject parcel no longer contains materials of historic or architectural integrity nor did it contain them at the time of landmark designation.

**Historic Preservation Commission.** On August 4, 2015 the Historic Preservation Commission voted 6–0 to recommend that the City Council remove landmark status for this portion of the West Village Complex (LD1500001).

## **G. Alternatives**

The City Council may approve the removal of the designation as proposed or reject the proposal, retaining the landmark designation for this parcel.

If the West Village Complex local historic landmark designation is removed by the City Council, any protections afforded locally designated historic properties will no

longer apply to this parcel. By State statute, the property owner will have to repay the deferred taxes plus interest from the last three years and will not receive the 50% tax deferral going forward. If the City Council does not remove the landmark designation from the property, any changes to the site will continue to require the approval of a certificate of appropriateness (COA) prior to issuance of any permits and beginning any work. Any request for a COA for new construction or site work would have to be approved by the Historic Preservation Commission.

#### **H. Staff Contact**

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#### **I. Attachments**

Attachment 1, Context Map  
Attachment 2, Application Materials  
Attachment 3, West Village Complex Landmark Designation Staff Report  
Attachment 4, 1998 Plat of 600/602 West Morgan Street  
Attachment 5, North Carolina State Historic Preservation Office Comments  
Attachment 6, Ordinance for Repeal of Designation